

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FANNIE MAE,

Plaintiff/Counter-Defendant,

v.

RENE JEAN LEMAIRE, CHERI LEMAIRE, *et al.*,

Defendants/Counter-Plaintiffs.

Case No. 12-11479

Honorable John Corbett O'Meara

**ORDER DENYING
DEFENDANTS' MOTION FOR RECONSIDERATION AND
DEFENDANTS' MOTION TO ALTER OR AMEND**

This matter came before the court on two nearly identical motions filed by defendants Rene Jean and Cheri Lemaire. Both motions seek reconsideration of the court's December 20, 2012 order granting plaintiff Fannie Mae's motion to dismiss and to remand.

Local Rule 7.1(3) provides the following grounds upon which a motion for reconsideration may be granted:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

In their motion for reconsideration, Defendants have failed to demonstrate a palpable defect by which the court and the parties have been misled. Moreover, Defendants have presented the same issues ruled upon by the court as well as those that could have been litigated in their previous case against One West Bank. Thus, there are no grounds for granting the motion.

ORDER

It is hereby **ORDERED** that Defendants' motion for reconsideration and motion to alter or amend are **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: September 19, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, September 19, 2013, using the ECF system.

s/William Barkholz
Case Manager